EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Ralph G. Fischer on April 8, 2010 and April 12, 2010. As a result, applicant sent the agreed

amendment to examiner on April.12, 2010.

The application has been amended as follows:

16. (Currently Amended) A method for transmitting messages in a network via data

terminals connected thereto, comprising:

sending a message to be relayed from a sender data terminal to an assigned first mail

processing device assigned to the sender data terminal;

assigning a unique identifier to the message that indicates that a message to be relayed is

on the sender data terminal, or in the first mail processing device, wherein the identifier

comprises a plurality of subidentifiers, each of which is assigned to at least one message element

contained in a relayed message;

sending a test message including the subidentifiers from the first mail processing device

to a second mail processing device assigned to a recipient address data terminal;

evaluating in the second mail processing device the test message sent by the first mail

processing device, the evaluating configured to process each subidentifier in the test message

relative to data present in the second mail processing device indicative of respective message elements previously relayed to the recipient address data terminal;

sending <u>an</u> ~~a~~ evaluation-result of the test message from the second mail processing device to the first mail processing device, said evaluation-result of the test message indicating to the first mail processing device to transmit message elements, evaluated as not previously relayed to the recipient address data terminal, to the second mail processing device, and further indicating to block message elements, evaluated as previously relayed to the recipient address data terminal, from being transmitted to the second mail processing device;

transmitting or blocking a transmission of respective ones of the message elements to the second mail processing device in response to the evaluation-result of the test message, wherein said transmitting or blocking of respective ones of the message elements in response to the evaluation-result of the test message is configured to suppress a duplicative reception by the recipient address data terminal of a message element present in a message previously received by the recipient <u>address data terminal,</u> ~~address,~~ and is further configured to ensure that an amended message element of a message element present in the previously received message is transmitted to the recipient <u>address data terminal,</u> ~~address;~~ <u>wherein a notification of the blocked transmission is forwarded to the sender data terminal and/or recipient address data terminal if the transmission is blocked on the basis of the evaluation results;</u> and

relaying to the recipient address data terminal respective message elements transmitted from the first mail processing device to the second mail processing device.

17-20. (Cancelled)

21. The method according to claim 16, wherein the identifier is evaluated on a mail server in the network.

22. (Cancelled)

23. (Cancelled)

24. (Previously Presented) The method according to claim 16, wherein the identifier and/or the relevant subidentifier indicates the date and time of creation of the original message where these differ from the time of transmission, and/or an e-mail address of an original sender if this differs from the e-mail address of the sender, and/or the contents of the message or of the respective message element.

25. (Previously Presented) The method according to claim 16, wherein there is a data terminal for executing the method and having a mail processing device that is designed such that an identifier for a message based on data present concerning the entry of messages at an address data terminal from the past is evaluated in an evaluation unit, and such that, based on the evaluation result, transmission of a message to the address data terminal is triggered or blocked.

26. (Previously Presented) The method according to claim 25, wherein the mail-processing device forms part of a mail server, which is integrated in the data terminal.

27. (Previously Presented) The method according to claim 25, wherein a memory unit for storing data concerning the entry of messages at a different data terminal.

28. (Currently Amended) A network, comprising:

a sending module configured to send a message to be relayed from a sender data terminal to a first mail processing device assigned to the sender data terminal;

an assigning module configured to assign a unique identifier to the message that indicates that a message to be relayed is on the sender data terminal, or in the first mail processing device, wherein the identifier comprising a plurality of subidentifiers, each of which is assigned to at least one message element contained in a relayed message;

a test message sensing module configured to send a test message including the subidentifiers from the first mail processing device to a second mail processing device assigned to a recipient address data terminal;

an evaluator configured to evaluate in the second mail processing device the test message sent by the first mail processing device, the evaluating configured to process each subidentifier in the test message relative to data present in the second mail processing device indicative of respective message elements previously relayed to the recipient address data terminal;

a sending module configured to send an evaluation-result of the test message from the second mail processing device to the first mail processing device, said evaluation-result of the test message indicating to the first mail processing device to transmit message elements, evaluated as not previously relayed to the recipient address data terminal, to the second mail

processing device, and further indicating to block message elements, evaluated as previously

relayed to the recipient address data terminal, from being transmitted to the second mail

processing device;

a module configured to transmit or to block a transmission of respective ones of the

message elements to the second mail processing device in response to the evaluation-result

message, wherein the transmission or block of respective ones of the message elements in

response to the evaluation-result of the test message is configured to suppress a duplicative

reception by the recipient address data terminal of a message element present in a message

previously received by the recipient <u>address data terminal,</u> ~~address,~~ and is further configured to

ensure that an amended message element of the message element present in said previously

received message is transmitted to the recipient <u>address data terminal,</u> ~~address;~~ <u>wherein a</u>

<u>notification of the blocked transmission is forwarded to the sender data terminal and/or recipient</u>

<u>address data terminal if the transmission is blocked on the basis of the evaluation results;</u> and

a module configured to relay to the recipient address data terminal respective message

elements transmitted from the first mail processing device to the second mail processing device.

29. (Previously Presented) The network according to claim 28, wherein the mail-

processing device forms part of a mail server.

30. (Previously Presented) The network according to claim 29, further comprising a

memory unit for storing previously relayed message elements.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: None of the prior arts of record teach or suggest alone or in combination sending a test message including the subidentifiers from the first mail processing device to a second mail processing device assigned to a recipient address data terminal; evaluating in the second mail processing device the test message sent by the first mail processing device, the evaluating configured to process each subidentifier in the test message relative to data present in the second mail processing device indicative of respective message elements previously relayed to the recipient address data terminal; sending an a evaluation-result of the test message from the second mail processing device to the first mail processing device, said evaluation-result of the test message indicating to the first mail processing device to transmit message elements, evaluated as not previously relayed to the recipient address data terminal, to the second mail processing device, and further indicating to block message elements, evaluated as previously relayed to the recipient address data terminal, from being transmitted to the second mail processing device; transmitting or to block a transmission of respective ones of the message elements to the second mail processing device in response to the evaluation-result message, wherein the transmission or block of respective ones of the message elements in response to the evaluation-result of the test message is configured to suppress a duplicative reception by the recipient address data terminal of a message element present in a message previously received by the recipient address data terminal, and is further configured to ensure that an amended message element of the message element present in said previously received message is transmitted to the recipient address data terminal,

wherein a notification of the blocked transmission is forwarded to the sender data terminal and/or

recipient address data terminal if the transmission is blocked on the basis of the evaluation

results; . None of the prior art of record teaches or suggests the features above in combination

with independent claim 16.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HUA FAN whose telephone number is (571) 270-5311. The

examiner can normally be reached on M-F 9am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rupal D. Dharia/
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